

REMARKS

Claims 1-17 are currently pending. By this Amendment, claims 1-17 are amended. Support for claim 1 can be found in the specification at, for example, page 8, line 24. Claims 2-17 are amended for form. No new matter has been added.

Claims 1 and 2 are objected to for informalities. Claims 1 and 2 are amended to correct the antecedent basis, therefore obviates the objection. Applicant respectfully requests withdrawal of the objection.

Claims 9 and 11 are rejected under 35 U.S.C. §112, first paragraph, for lack of enablement. The rejection is respectfully traversed.

Applicant respectfully submits that the specification discloses "wherein the slots are T-shaped," as recited in claim 9, and "wherein the slots are oblique with respect to the axis of the connecting part," as with claim 11, such that one of ordinary skill in the art can make and use the claimed invention without undue experimentation. For example, these features can make the hollow intermediate connecting part deformable. The specification discloses that the slots can be T-shaped, as shown in Fig. 22, at page 14, line 28, and the specification discloses that the slots can be oblique with respect to the axis of the connecting part, as shown in Figs. 23 and 24, at page 14, lines 29-30.

Therefore, for at least the above reasons, Applicant respectfully submits that claims 9 and 11 satisfy the requirements of 35 U.S.C. §112, first paragraph. Applicant respectfully requests withdrawal of the rejection.

Claims 1-6 and 13-16 are rejected under 35 U.S.C. §102(b) as being anticipated by Sutter (U.S. Patent No. 5,947,733). The rejection is respectfully traversed.

Sutter does not disclose the claimed features of independent claim 1. For example, Sutter does not teach or suggest " positioning of the tool ... until the hollow intermediate

connecting part clips onto an external complementary part of the implantable element," as recited in claim 1.

Sutter merely relates to a connection arrangement with an abutment 200, 220 held in place by a ring 500 on the screw 400 arranged inside the implant 10 and the abutment 200, 220 (see Figs. 3A and 4E of Sutter) (emphasis added). The abutment is thus held in place inside the implant 10 by the ring. Therefore, Sutter does not disclose "positioning of the tool ... until the hollow intermediate connecting part clips onto an external complementary part of the implantable element," as recited in claim 1.

Therefore, for at least these reasons, independent claim 1 is patentable over Sutter. Claims 2-6 and 13-16 variously depend from independent claim 1, which is now believed to be patentable. As such, dependent claims 2-6 and 13-16 are also believed to be patentable for at least their dependency on independent claim 1, as well as for the additional features they recite. Applicant thus respectfully requests withdrawal of the rejection.

Claims 7-12 and 17 are rejected under 35 U.S.C. §103(a) as being obvious over Sutter in view of Gervais (U.S. Patent No. 7,160,109). The rejection is respectfully traversed.

Gervais does not remedy the deficiencies of Sutter. Gervais is only cited by the Office Action for its alleged teaching of a connecting part made of plastic and/or metal and a connecting part comprising deformable slots.

Claims 7-12 and 17 depend from independent claim 1, which is now believed to be patentable. As such, dependent claims 7-12 and 17 are also believed to be patentable for at least their dependency on independent claim 1, as well as for the additional features they recite. Applicant thus respectfully requests withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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